

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEISHA BROWN, AS ADMINISTRATOR OF
THE ESTATE OF AARON JENKINS

Plaintiff

v.

CITY OF PHILADELPHIA, PHILADELPHIA
AIRPORT, WORLDWIDE FLIGHT SERVICES,
INC., and FRONTIER AIRLINES

Defendants

CIVIL ACTION

NO. 2:20-cv-05532-CMR

**DEFENDANT WORLDWIDE FLIGHT SERVICES, INC.'S MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT**

Defendant Worldwide Flight Services, Inc. (“WFS”), by and through his attorneys, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, respectfully moves this court to dismiss Count II and punitive damages in the Amended Complaint by plaintiff Keisha Brown, As the Administrator of the Estate of Aaron Jenkins (“plaintiff”) for the reasons set forth in its Memorandum of Law in Support of the Motion to Dismiss, which is incorporated herein by reference as if set forth at length.

Specifically, WFS seeks dismissal of Count II and punitive damages on the following bases: 1) plaintiff has failed to properly allege a claim of negligence against WFS where the location of the subject incident is not identified and there are no claims that WFS owned, leased or managed the subject premises; 2) WFS plaintiff’s claims are barred by the Workers’ Compensation Act since WFS is plaintiff’s employer and there are no facts alleged to support that the “personal animus” exception of the Act applies; and 3) plaintiff’s general requests for punitive damages in her “wherefore” clauses and conclusory allegations that WFS acted “recklessly” should be dismissed as plaintiff has not pled the requisite elements for punitive

damages. For these reasons, discussed in greater length in the attached Memorandum of Law, defendant WFS respectfully requests that all allegations against WFS are dismissed with prejudice.

Respectfully submitted,

**WILSON, ELSE, MOSKOWITZ,
EDELMAN & DICKER LLP**

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